

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY AND SURETY
COMPANY as Administrator for RELIANCE
INSURANCE COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY - STATE OF NEW
YORK, TDX CONSTRUCTION CORP.,
and KOHN PEDERSEN FOX ASSOCIATES, P.C.,

Defendants.

Civil Action No.: 07-CV-6915

**NOTICE OF MOTION
FOR PRO HAC VICE ADMISSION OF
JOANNE M. BONACCI, ESQ.**

PLEASE TAKE NOTICE that upon the annexed Affidavit of JoAnne M. Bonacci, Esq., the exhibits attached thereto, the Affirmation of Sponsoring Counsel in support thereof, and upon all of the papers, pleadings, and proceedings hereto for had herein, the undersigned counsel for Plaintiff, Travelers Casualty and Surety Company as Administrator for Reliance Insurance Company (hereinafter "Travelers") shall move the United States District Court, Southern District of New York located at Foley Square, 500 Pearl Street, New York, New York on August 29, 2007, at 9:00 a.m. or as soon thereafter as counsel can be heard, for an Order granting admission pro hac vice to JoAnne M. Bonacci, Esq., pursuant to Local Civil Rule 1.3(b) for purposes of representing Travelers in connection with the above-captioned matter.

Movant Travelers respectfully requests that this motion be decided on the papers.

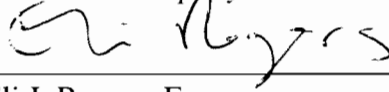
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Dated: Florham Park, New Jersey
August 8, 2007

DREIFUSS, BONACCI & PARKER, LLP

*Attorneys for Plaintiff, Travelers Casualty and
Surety Company as Administrator for Reliance
Insurance Company*

A handwritten signature in black ink, appearing to read "E. Rogers", is written over a horizontal line.

By: Eli J. Rogers, Esq.
One Penn Plaza, 36th Floor
New York, New York 10119
- and -
26 Columbia Turnpike, North Entrance
Florham Park, New Jersey 07932
(973) 514-1414

AFFIRMATION OF SERVICE

ELI J. ROGERS, ESQ., affirms under penalty of perjury, and pursuant to CPLR § 2106, as follows:

1. I am an attorney admitted to practice in the State of New York.
2. On this date I caused an original and two copies of the following:
 - a. Notice of Motion for Pro Hac Vice Admission of Joanne M. Bonacci, Esq., with Affirmation of Service;
 - b. Affidavit of Joanne M. Bonacci in Support of Travelers' Motion for Pro Hac Vice Admission of Joanne M. Bonacci, Esq.;
 - c. Affirmation of Sponsoring Counsel in Support Of Travelers' Motion For Pro Hac Vice Admission of Joanne M. Bonacci, Esq.; and
 - d. Proposed Form of Order

to be delivered to this Court for filing via Federal Express overnight delivery, and a copy of same to be served via Federal Express overnight delivery on all other parties via their respective counsel:

Stephen B. Shapiro, Esq.
Holland & Knight, LLP
195 Broadway
New York, New York 10007
Tel. No.: 212-513-3200
*Attorneys for Defendant,
Dormitory Authority of the State of New York*

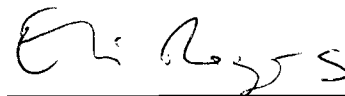
Gary L. Rubin, Esq.
Mazur, Carp & Rubin, P.C.
1250 Broadway, 38th Floor
New York, New York 10001
Tel No.: 212-686-7700
*Attorneys for Defendant,
TDX Construction Corp.*

David Abramovitz, Esq.
Zetlin & DeChiara, LLP
801 Second Avenue

New York, New York 10017
Tel. No.: 212-682-6800
Attorneys for Defendant,
Kohn, Pederson, Fox & Associates, P.C.

3. Pursuant to CPLR § 2106, I affirm under penalty of perjury that the foregoing statements made by me are true, except those made upon information and belief, which I believe to be true.

Dated: Florham Park, New Jersey
August 9, 2007

A handwritten signature in black ink, appearing to read "Eli Rogers", written over a horizontal line.

Eli J. Rogers, Esq.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY
COMPANY as Administrator for RELIANCE
INSURANCE COMPANY,

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vs.

DORMITORY AUTHORITY - STATE OF NEW
YORK, TDX CONSTRUCTION CORP.,
and KOHN PEDERSEN FOX ASSOCIATES, P.C.,

Defendants.

Civil Action No.: 07-CV-6915

**AFFIDAVIT OF SPONSORING
COUNSEL IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRO HAC VICE ADMISSION OF
JOANNE M. BONACCI, ESQ.**

STATE OF NEW JERSEY:

: ss.

COUNTY OF MORRIS :

ELI J. ROGERS, ESQ., of full age, being duly sworn according to law, upon his oath,
deposes and says:

1. I am associated with the law firm of Dreifuss Bonacci & Parker, LLP, counsel for Plaintiff Travelers Casualty and Surety Company as Administrator for Reliance Insurance Company ("Travelers") in the above-captioned matter. I am an attorney authorized to practice law before the United States District Court for the Southern District of New York. I make this Affirmation in support of Travelers' Motion for Pro Hac Vice Admission of JoAnne M. Bonacci, Esq.

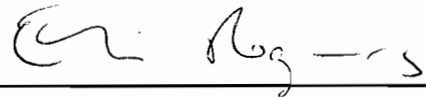
2. I wholeheartedly support this Application for Pro Hac Vice Admission for JoAnne M. Bonacci, Esq. I have worked with Ms. Bonacci for over three years and can affirm that she is a very capable attorney, knowledgeable in the substantive law of the State of New York and the procedural rules governing practice before the United States District Court for the

Southern District of New York, including the Federal Rules of Civil Procedure and the Local Civil Rules for the Southern District of New York. Ms. Bonacci is exceptionally dedicated to representing the clients' interests to the best of her ability, as well as to upholding ethical standards of conduct.

3. Upon information and belief, Ms. Bonacci has represented construction contractors, insurance companies and sureties in the context of construction and commercial disputes for over twelve years. Plaintiff Travelers has specifically requested that Ms. Bonacci litigate this action on its behalf.

4. Ms. Bonacci is of sound moral character. I am not aware of any disciplinary actions against her in any jurisdiction.

5. Pursuant to CPLR § 2106, I affirm under penalty of perjury that the foregoing statements made by me are true.



Eli J. Rogers, Esq.

Sworn to and subscribed
before me on this 8th
day of August, 2007.



Notary Public, State of New Jersey

RONNA GRUSKIN
Notary Public of New Jersey
I.D. # 54631
Commission Expires 10/14/2011

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY
COMPANY as Administrator for RELIANCE
INSURANCE COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY - STATE OF NEW
YORK, TDX CONSTRUCTION CORP.,
and KOHN PEDERSEN FOX ASSOCIATES, P.C.,

Defendants.

Civil Action No.: 07-CV-6915

**AFFIDAVIT OF
JOANNE M. BONACCI, ESQ.
IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRO HAC VICE
ADMISSION OF JOANNE M.
BONACCI, ESQ.**

STATE OF NEW JERSEY :
 : ss.
COUNTY OF MORRIS :

JOANNE M. BONACCI, ESQ., of full age, being duly sworn according to law, upon her oath, deposes and says:

1. I am a partner of the law firm Dreifuss Bonacci & Parker, LLP, attorneys for Plaintiff, Travelers Casualty and Surety Company as Administrator for Reliance Insurance Company ("Travelers") in this matter. I am an attorney at law of the State of New Jersey and the Commonwealth of Pennsylvania. I make this Affidavit based upon personal knowledge and in support of Plaintiff Travelers' application for my admission pro hac vice before this Court.

2. I am duly admitted to practice before the Supreme Court of New Jersey and all other courts of the State of New Jersey. I have been an attorney at law in good standing in the State of New Jersey since I was admitted on June 6, 1991. A true and accurate original copy of my Certificate of Good Standing to practice before the Supreme Court of New Jersey and all other courts of the state of New Jersey is attached hereto as **Exhibit A**.

3. I am also duly admitted to practice before the United States District Court for the District of New Jersey, and have been a member of the bar of said Court in good standing since I was admitted on

June 6, 1991. A true and accurate original copy of my Certificate of Good Standing to practice before the United States District Court for the District of New Jersey is attached hereto as **Exhibit B**.

4. I am duly admitted to the Bar of the Commonwealth of Pennsylvania, and have been a member of the Bar of Pennsylvania in good standing since I was admitted on December 13, 1990. A true and accurate original copy of my Certificate of Good Standing to practice before the Courts of the Commonwealth of Pennsylvania is attached hereto as **Exhibit C**.

5. I am also duly admitted to practice before the United States District Court for the Eastern District of Pennsylvania, and have been a member of the Bar of said Court in good standing since I was admitted on November 12, 1993. A true and accurate original copy of my Certificate of Good Standing to practice before the United States District Court for the Eastern District of Pennsylvania is attached hereto as **Exhibit D**.

6. I am also duly admitted to practice before the United States District Court for the Western District of Pennsylvania, and have been a member of the Bar of said Court in good standing since I was admitted approximately one month ago on July 2, 2007. Since the date of my admission, I have not entered an appearance in any action before the United States District Court for the Western District of Pennsylvania. However, in the event the Court wishes me to provide a Certificate of Good Standing from the Western District, I will furnish same as soon as practicable.

7. If the Court requires more current Certificates of Good Standing than the Certificates attached hereto, I will apply for them and provide them to the Court within thirty days of the date hereof.

8. I am not currently suspended or disbarred from practice in any Court. No recommendations for discipline for professional or other misconduct have ever been made by a Disciplinary Board to the State of New Jersey, Commonwealth of Pennsylvania or any of the other Courts before which I am admitted to practice. I hereby agree to notify this Court immediately of any matter affecting my standing at the bar of any other Court.

9. I am familiar with the statutes, rules and procedures governing the practice of law in the

State of New York and I affirm that I will abide by them. I am admitted pro hac vice on one other matter before the Supreme Court of the State of New York:

Premier New-York, Inc. v. Travelers Property Casualty Corp., et al.
Index No.: 603043/03
Date Admitted: January 25, 2005
Status of Action: Active (pre-Note of Issue)
County of Venue: New York


as well as one matter before the Appellate Division, Third Department of the Supreme Court of the State of New York:

Blue Heron Construction, LLC v. Fiberglass Structures & Tank Co., Inc., et al.
Index No.: CA-07-01009
Date Admitted: Pending
Status of Action: Active
County of Venue: Third Department (Monroe County)

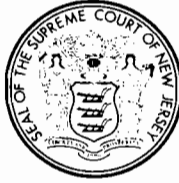
10. Travelers respectfully requests that I be admitted pro hac vice to pursue their rights in this case. I am thoroughly familiar with construction litigation, New York Lien Law, and the Uniform Commercial Code, as I have represented construction contractors and sureties in dozens of matters arising from a construction/commercial context. Furthermore, Plaintiff Travelers has specifically requested that I handle this action on its behalf.


JOANNE M. BONACCI, ESQ.

Sworn to and subscribed
before me on this 8th
day of August, 2007.


Notary Public, State of New Jersey
Attorney-at-Law, States of N.J. & N.Y.

Supreme Court of New Jersey

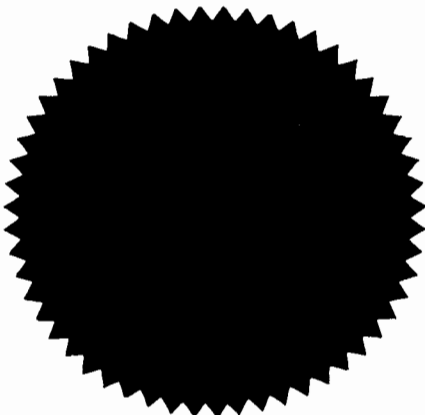


Certificate of Good Standing

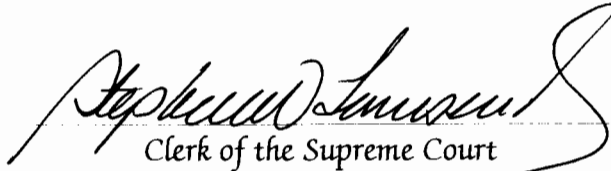
This is to certify that **JOANNE M BONACCI**
(No. **006241991**) was constituted and appointed an Attorney at Law of New Jersey on **June 06, 1991** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
6TH day of **August**, 20 **07**


Clerk of the Supreme Court

Certificate of Good Standing



United States of America

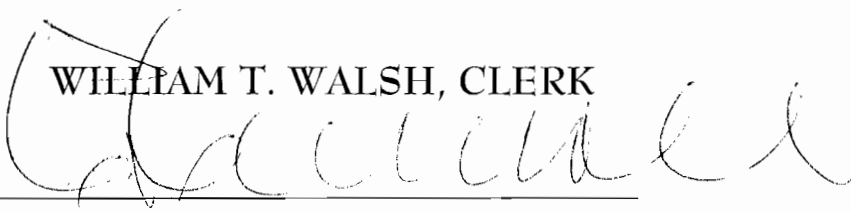
District of New Jersey

I, WILLIAM T. WALSH, Clerk of the United States District Court for the District of New Jersey, do hereby certify that:

Jo Anne M. Bonacci

was duly admitted to practice in said Court as of June 6, 1991, and is in good standing as a member of the Bar of said Court.

Dated at Newark, New Jersey
on: August 6, 2007

By 
WILLIAM T. WALSH, CLERK
Carey P. Carlisle, Deputy Clerk



Supreme Court of Pennsylvania

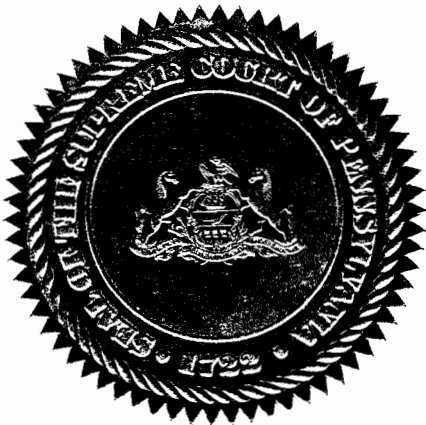
CERTIFICATE OF GOOD STANDING

JoAnne Marie Bonacci, Esq.

DATE OF ADMISSION

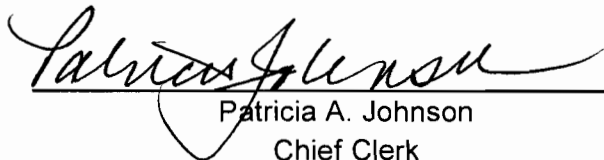
December 13, 1990

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: August 7, 2007


Patricia A. Johnson
Chief Clerk

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

EASTERN DISTRICT OF PENNSYLVANIA }

I, Michael E. Kunz, Clerk of the United States District Court for the Eastern District of Pennsylvania,

DO HEREBY CERTIFY That JoAnne M. Bonacci , Bar # 59392, was duly admitted to practice in said Court on November 12, 1993, and is in good standing as a member of the bar of said Court.

DATED at Philadelphia, Pennsylvania

MICHAEL E. KUNZ

Clerk of Court

on August 6, 2007.

BY


Aida Ayala, Deputy Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY
COMPANY as Administrator for RELIANCE
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vs.

DORMITORY AUTHORITY - STATE OF NEW
YORK, TDX CONSTRUCTION CORP.,
and KOHN PEDERSEN FOX ASSOCIATES, P.C.,

Defendants.

Civil Action No.: 07-CV-6915

**ORDER OF ADMISSION
PRO HAC VICE**

JoAnne M. Bonacci, Esq., having applied to this court for admission pro hac vice to represent Travelers Casualty and Surety Company as Administrator for Reliance Insurance Company (hereinafter "Travelers") in this case, and said applicant having submitted in support thereof an affirmation of Eli J. Rogers, Esq., a member of the Bar of the State of New York and attorney for Travelers in this matter; an affidavit of the applicant; and Certificates of Good Standing from the jurisdictions in which the applicant was admitted to the practice of law; and the Court having reviewed the foregoing submissions and due deliberations having been had, it is now therefore,

ORDERED that the application is granted, and JoAnne M. Bonacci, Esq., is permitted to appear and to participate in this case on behalf of Travelers; and it is further

ORDERED that she shall at all times be associated herein with counsel who is a member in good standing of the Bar of the United States District Court for the Southern District of New York and is attorney of record for the party in question and all pleadings, briefs and other papers filed with the court shall be signed by the attorney of record, who shall be held responsible for

such papers and for the conduct of this action; and it is further

ORDERED that, pursuant to Local Civil Rule 3.1(c), the attorney hereby admitted pro hac vice shall abide by the Rules of the United States District Court for the Southern District of New York, including all disciplinary rules; and it is further

ORDERED that said counsel shall notify the court immediately of any matter or event in this or any other jurisdiction which affects Ms. Bonacci's standing as a member of the Bar; and it is further

ORDERED that a copy of this Order shall be served upon all parties and/or counsel for all parties within _____ days of counsel for Plaintiff's receipt hereof.

ENTER: _____

Dated: _____, 2007